

DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
Heber M. Wells Building
160 East 300 South
PO Box 146741
Salt Lake City, UT 84114-6741
Telephone: (801) 530-6628

**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSE OF	: NOTICE OF INFORMAL AGENCY
ROBERT ALEXANDER NIELSON	: ACTION
UTAH LICENSE #278057-3902	:
TO PRACTICE AS A LICENSED	:
MARRIAGE & FAMILY THERAPIST	:
IN THE STATE OF UTAH	: Case No. DOPL-2017-

THE DIVISION OF OCCUPATION AND PROFESSIONAL LICENSING
("DIVISION") TO ROBERT ALEXANDER NIELSON ("Respondent"):

The Division hereby files this Notice of Agency Action to determine whether a basis exists to revoke your license as a licensed marriage & family therapist, and or suspend, restrict, or place probationary terms on your license due to your recent criminal conviction.

This action is based upon Division records and an investigation, which show that on or about October 25, 2016, you pleaded no contest to failure to report child abuse, a Class B misdemeanor, in Duchesne County Justice Court, State of Utah, case number 161200259. Your plea of no contest was held in abeyance. Your crime involved your failure to report a juvenile male age 16 having sexual relations with another juvenile male age 13. This is a crime, when considered with the functions and duties of a licensed marriage & family therapist, bears a reasonable relationship to your ability to safely and/or competently practice the profession. As a result, you have engaged in unprofessional conduct, in violation of Utah Code Annotated Section 58-1-501(2)(c).

ALLEGATIONS SUPPORTING THIS ACTION

1. Respondent was first licensed as a licensed marriage & family therapist in the State of Utah on or about January 22, 1997.

2. On or about October 25, 2016, in Duchesne County Justice Court, State of Utah, case number 161200259, Respondent pleaded no contest to failure to report child abuse, a Class B misdemeanor. Respondent's plea of no contest was held in abeyance. Respondent's crime involved Respondent's failure to report a juvenile male age 16 having sexual relations with another juvenile male age 13. This is a crime, when considered with the functions and duties of a licensed marriage & family therapist, bears a reasonable relationship to Respondent's ability to safely and/or competently practice the profession. As a result, Respondent has engaged in unprofessional conduct, in violation of Utah Code Annotated Section 58-1-501(2)(c).

NOTICE OF INFORMAL PROCEEDING

The adjudicative proceeding designated herein is, pursuant to Utah Administrative Code R156-46b-202(2)(d)(i), to be conducted on an informal basis, which means that you are not entitled to a hearing. The decision in this matter will be based upon a review of the Division records, any response filed by you, and a brief meeting before the Utah Marriage & Family Therapist Licensing Board ("Board").

Within thirty (30) days of the mailing date of this notice, you are required to file a written response with the Division. Your response will be helpful in clarifying, refining or narrowing the facts and the violation alleged herein. Your written response shall be mailed to:

Division of Occupational and Professional Licensing
Attn: Dane Ishihara, Bureau Manager
160 East 300 South, 4th Floor
PO Box 146741
SALT LAKE CITY, UT 84114-6741

If you fail to submit to the Division a written response within thirty (30) days of the mailing date of this notice, the Division may enter an Order of Default revoking your license without any further notice to you. If an Order of Default is entered your meeting with the Board will be cancelled without any further notice to you.

You may represent yourself or legal counsel may represent you, at your own expense, while this action is pending. If you are represented by legal counsel, your attorney must file a Notice of Appearance with the Division at the address stated above. Until a Notice of Appearance is filed, the presiding officer will communicate directly with you.

A copy of the Division's relevant and non-privileged evidence supporting the allegations described above has been provided to you along with this notice.

A one hour meeting with the Board has been set to review this matter at the following date, time, and place:

March 10, 2017 at 9:30 am

**Division of Occupational and Professional Licensing
Heber Wells Building
160 South 300 East, 4th Floor
Salt Lake City, UT 84114**

The meeting with the Board is not an adversarial hearing. Following the discussion of evidence of your misconduct, you will have an opportunity to present your position to the presiding officer and the Board.

If you do not appear at the time and date set forth in this notice, the Division will proceed based upon the record before it.

If you or your attorney has any questions regarding the procedures related to this matter, Dane Ishihara can be contacted at the above address, or via telephone at (801)530-7632.

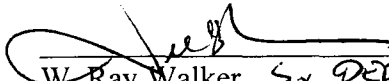
At the expiration of your deadline to submit a response, and after the meeting set with the Board, Mark Steinagel, the Division Director, who is the presiding officer in this matter, will make an informal review of the record in this matter and determine whether you have violated Utah Code Annotated Section 58-1-501(2)(c) therefore subject you to sanctions under Utah Code Annotated Section 58-1-401(2)(a) and Utah Administrative Code R156-1-501.

The maximum administrative sanction in this case is revocation of your license. Other administrative sanctions may be imposed by the Division, including suspension of your license, imposition of probation terms and conditions on your license, imposition of a fine consistent with Utah Administrative Code R156-31b-402, and /or a public reprimand.

Please conduct yourself accordingly.

Dated this 4th day of JANUARY, 2017.




W. Ray Walker *By* DEBBORAH BUCKNER
Regulatory and Compliance Officer